

# Linda Vista Gardens Replat B

City of El Paso — City Plan Commission — 2/21/2019

**SUSU17-00030 — Resubdivision Combination**



<b>STAFF CONTACT:</b>	Armida R. Martinez, (915) 212-1605, <a href="mailto:martinezar@elpasotexas.gov">martinezar@elpasotexas.gov</a>
<b>PROPERTY OWNER:</b>	Julio Reyes and Rosa G. Reyes
<b>REPRESENTATIVE:</b>	Sitework Engineering
<b>LOCATION:</b>	North of North Loop and East of Emerson District 7
<b>ACREAGE:</b>	0.4397 acres
<b>VESTED:</b>	No
<b>PARK FEES REQUIRED:</b>	\$5,480.00
<b>EXCEPTION/MODIFICATION REQUEST:</b>	1. To waive the required street improvements to the applicant's proportionate share on Chula Vista. 2. To allow the proposed panhandle lot 3. To reduce the required panhandle width from 24 ft. to 20 ft.
<b>RELATED APPLICATIONS:</b>	N/A
<b>PUBLIC INPUT:</b>	Planning Division did not receive any communication in support or opposition to this request.
<b>STAFF RECOMMENDATION:</b>	<b>Denial</b>

**SUMMARY OF REQUEST:** The applicant proposes to resubdivide 0.4397 acres. The proposed development is for two duplex lots. This subdivision was reviewed under the current code. Access to the subdivision is proposed from Chula Vista.

**SUMMARY OF DCC RECOMMENDATION:** Planning staff and the DCC recommend **Denial** of Linda Vista Gardens Replat B on a resubdivision combination basis, subject to the following reasons:

- The property does not meet the requirement of a minimum cumulative width of 24 ft. for a two-dwelling unit required for a panhandle lot as per Section 19.23.040.



## DESCRIPTION OF ANY EXCEPTIONS, MODIFICATIONS, OR WAIVERS

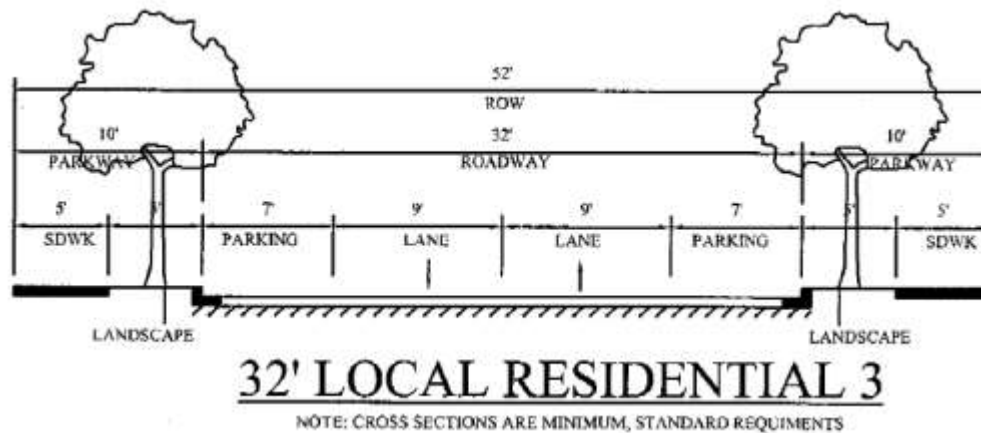
The applicant is requesting the following exception under 19.10.050-A.1.a. (Roadway participation policies):

1. To waive the required 5ft. of landscape parkway and 1ft. of additional pavement.

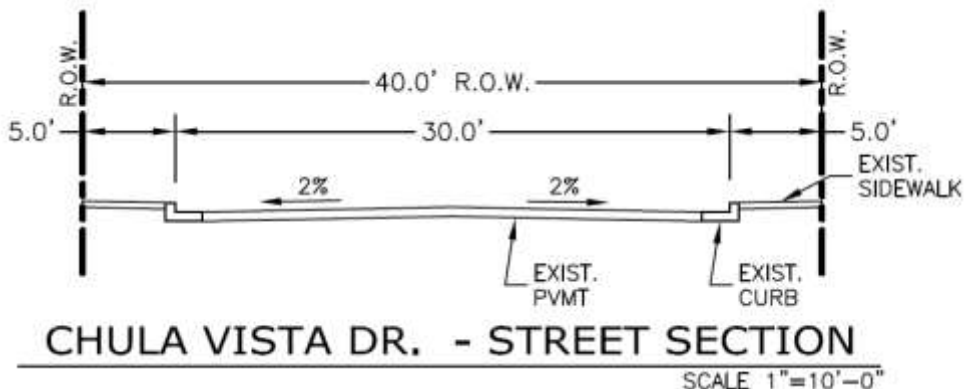
### Chula Vista

#### **Required**

The applicant's proportionate share, per the DSC, would require installation of a 10' parkway with a 5' landscape buffer, a 5' sidewalk and 16' of pavement.



#### **Existing**



The applicant is requesting to waive his proportionate share of street improvements since 50% of lots within a quarter mile of the proposed development have already been developed and the existing street improvements are in character with the neighborhood. Currently, the sidewalk abuts the street and there are no parkways. However, the proposed exception **does meet** the following criteria under Section 19.10.050.A.1.a. (Roadway participation policies – Improvement of roads and utilities within and or abutting the subdivision) for requesting an exception as more than fifty percent of the lots within a quarter mile of the proposed development have already been developed and have the similar improvements. The section reads as follows:

### **Section 19.10.050.A.1.a.**

1: The City Plan Commission may waive such requirements to provide rights-of-way or street improvements to adjacent substandard roads based on any of the following factors:

- a: Fifty per cent of the lots within a quarter mile of the proposed development have already been developed and the existing street improvements are in character with the neighborhood.



2. To allow the proposed panhandle lot as per Section 19.23.040.C due the unique parcel configuration.
3. To reduce the required panhandle width from 24 ft. to 20 ft.

The property does not meet the requirement of a minimum cumulative width of 24 ft. for a two-dwelling unit required for a panhandle lot as per Section 19.23.040.

### Section 19.23.040.C.2

2. Residential Uses. The maximum length of the panhandle shall be one hundred feet. The minimum width of the panhandle shall be twelve feet to serve one dwelling unit. A maximum of two dwelling units may jointly use a panhandle, provided that the minimum cumulative width of the panhandle is twenty-four. Maintenance of the common driveway, in cases of joint use, shall be ensured by deed restrictions and a note of such deed restrictions shall be place on the face of the plat. In the event that the property cannot be developed whatsoever without an exception being granted by the city plan commission to allow a panhandle exceeding one hundred feet, any building served by such panhandle will be required by the fire marshal to be sprinkled and have a hard-wired alarm system. A note shall be added to the recording plat and the subdivision improvement plans indicating whether buildings are required to be sprinkled within the subdivision, and which lot number have such requirement.

## **RELATION OF PROPOSED APPLICATION TO THE CITY'S COMPREHENSIVE PLAN**

**CONSISTENCY WITH PLAN EL PASO:** Subject property is designated G3, Post-War

<b>GOAL 2.2</b>	
The City of El Paso should change its growth pattern away from homogeneous land uses and return to a pattern of compact well-connected mixed-use neighborhoods.	
<b>POLICY</b>	<b>DOES IT COMPLY?</b>
<b>2.2.2:</b> The design of new neighborhoods and additions to existing neighborhoods should strive for a mix of housing types. Housing types include both small and large single-family detached homes, duplexes, townhouses, multi-family buildings, live-work units, and accessory dwelling units, and include both rental apartments and units that can be owned by their occupants.	Yes, the applicant is creating two lots. Lot 2 currently has a duplex and a duplex is proposed on Lot 1. There is currently a mix of single-family, multi-family and duplexes in the surrounding area.
<b>2.2.6.:</b> The design of new neighborhoods and additions to existing neighborhoods should strive for a balance of housing, jobs, shopping, recreation, and civic uses to avoid unnecessary travel and reduce infrastructure and public services costs.	No, the subdivision proposes a singular use rather than multiple uses.

**NEIGHBORHOOD CHARACTER:** Subject property is zoned R-4/sc (Residential/special contract). Properties adjacent to the subject property are also zoned R-4 (Residential). The nearest school is North Loop Elementary (.08 miles). The nearest park is Green Lilac (.94 miles). This property is not located within an Impact Fee Service Area.

**COMMENT FROM THE PUBLIC:** Notices of the Public Hearing were mailed on May 16, 2017, and published as per Chapter 19.38 (Notice Requirements). Planning Division did not receive any communication in support or opposition to this request.

### **PLAT EXPIRATION:**

Application will automatically expire at the time of its denial by the City Plan Commission. If for any reason the application is approved, this application will expire on **February 21, 2022**. If the final plat has not been recorded within the specified date, the final plat approval, unless extended in accordance with Chapter 19.41 (Expiration, extension and reinstatement), shall expire and the applicable plat shall be deemed null and void.

### **ATTACHMENTS:**

1. Aerial Map
2. Preliminary plat
3. Final Plat
4. Waiver Request
5. Exception Request
6. Exception Request
7. Application
8. Department Comments

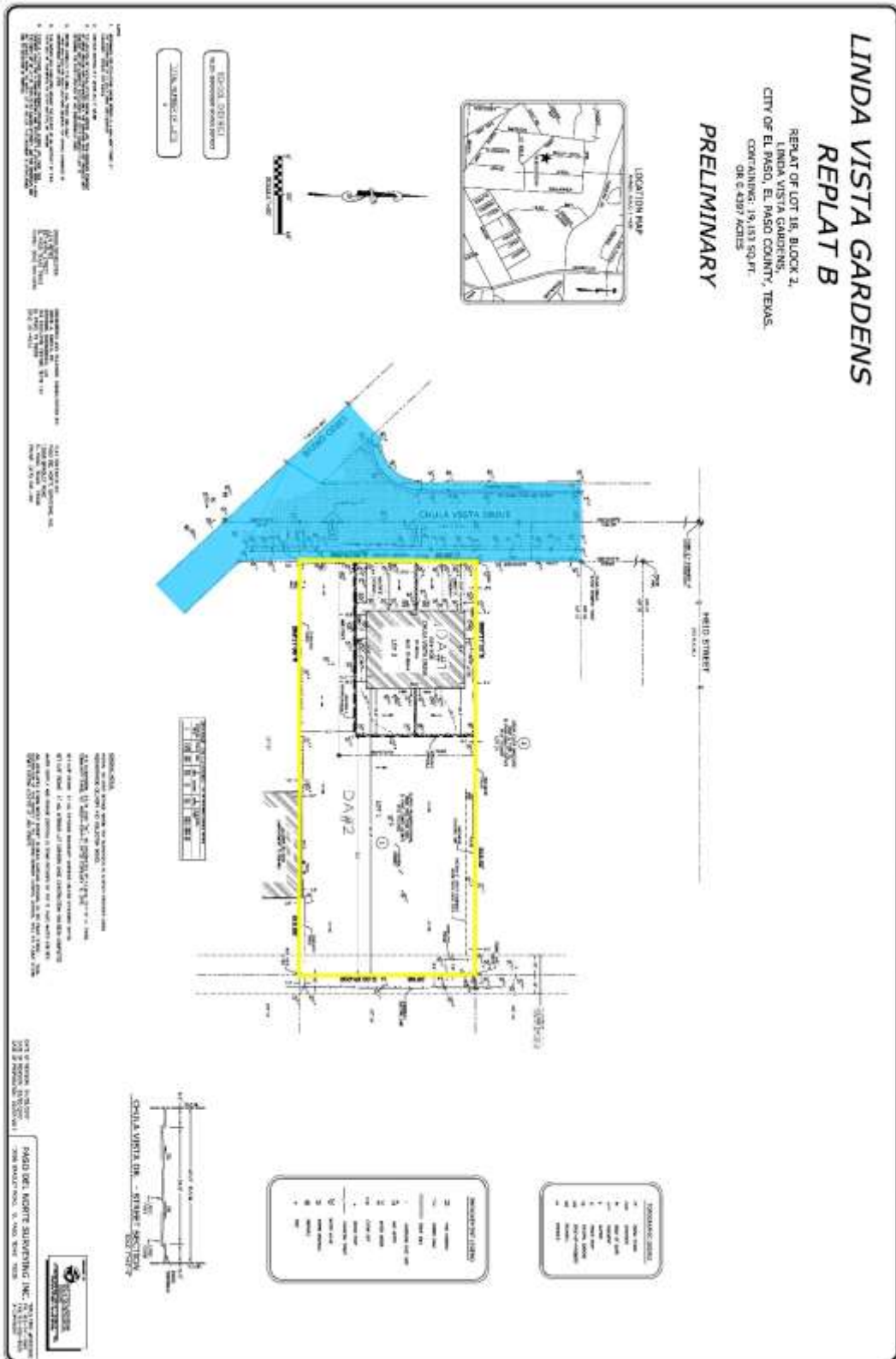


# ATTACHMENT 1

## Linda Vista Gardens Replat B



# ATTACHMENT 2





# ATTACHMENT 4



April 3, 2017

**SENT VIA EMAIL**

Mrs. Rocio Alvarado  
CITY OF EL PASO – Planning Department  
811 Texas Street  
El Paso, TX, 79901

**PROJ: SUFR17-00034 - LINDA VISTA GARDENS REPLAT B**  
**RE: REQUEST OF STREET IMPROVEMENTS WAIVER**

Dear Mrs. Alvarado,

On behalf of the Owner, and according to Title 19.10.050 of the Municipal Code, we are submitting this petition to waive the street improvements on Chula Vista Drive as indicated on your 5-day review comments letter.

We are hereby seeking relief from the current street right-of-way width standards, sidewalk and landscaped parkway requirements. We are seeking a waiver to the 6-ft of additional right of way on Chula Vista Drive.

We believe that +50% of the lots within a quarter mile of the proposed development have already been developed and the existing street improvement is in character with the neighborhood.

We understand Chula Vista Drive is not compliant with the current City Code; however, we believe that granting the waiver will not be detrimental to the public health, safety or welfare, or injurious to other property within the area.

We are submitting this letter along with a subdivision application.

Sincerely,  
*SiteWork Engineering, LLC*

A handwritten signature in black ink, appearing to read 'Jorge A. Garcia', is written over a horizontal line.

Jorge A. Garcia, PE  
Project Engineer/Owner Representative

cc Mr. Julio Reyes – Owner  
Mr. John Andy Eby – Paso del Norte Surveying

Waiver of Improvements Request.doc

444 EXECUTIVE CENTER, SUITE 134 • EL PASO, TX • 79902  
PHONE: (915) 351-8033 • FAX: (915) 351-8035  
PAGE 1



# ATTACHMENT 5



May 17, 2017

**SENT VIA EMAIL**

Mrs. Armida Martinez  
CITY OF EL PASO – Planning Department  
811 Texas Street  
El Paso, TX, 79901

**PROJ: SUSU17-00030 - LINDA VISTA GARDENS REPLAT B**  
**RE: PANHANDLE LOT EXCEPTION REQUEST**

Dear Mrs. Martinez,

On behalf of the Owner, and according to Title 19.23.040 of the Municipal Code, we are submitting this exception request to submit this two lot residential subdivision in which one of the lots is a panhandle lot.

We believe that granting the exception will not be detrimental to the public health, safety or welfare, or injurious to other property within the area.

We are submitting this letter along with a subdivision application.

Sincerely,  
**SiteWork Engineering, LLC**

A handwritten signature in black ink, appearing to read 'Jorge A. Garcia', written over a horizontal line.

Jorge A. Garcia, PE  
Project Engineer/Owner Representative

cc: Mr. Julio Reyes – Owner

17006 Panhandle Waiver.doc

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PHONE: (915) 351-8033 • FAX: (915) 351-8055  
PAGE 1

# ATTACHMENT 6



May 22, 2017

**SENT VIA EMAIL**

Mrs. Armida Martinez  
CITY OF EL PASO  
801 Texas, 1st floor  
El Paso, TX, 79901

**PROJ: LINDA VISTA GARDENS REPLAT B SUBDIVISION – CASE NO. SUSU17-00030**  
**RE: REQUEST FOR PANHANDLE LOT WIDTH EXEMPTION**

Dear Mrs. Martinez,

On behalf of the Owner, and according to Title 19.23.040 of the Municipal Code, we are submitting this exemption request for a reduction of the panhandle width from 24-ft width to 20-ft.

We believe that granting the exception will not be detrimental to the public health, safety or welfare, or injurious to other property within the area.

Sincerely,  
**SiteWork Engineering, LLC**

A handwritten signature in black ink, appearing to read 'Jorge A. Garcia', written over a horizontal line.

Jorge A. Garcia, PE  
Project Engineer

cc Mr. & Mrs Julio Reyes - Owners

17006 Panhandle Width Exemption.doc

# ATTACHMENT 7



## CITY PLAN COMMISSION APPLICATION FOR RESUBDIVISION COMBINATION SUBDIVISION APPROVAL

DATE: 4/27/17 FILE NO. SUJ 17-0003 0  
SUBDIVISION NAME: LINDA VISTA GARDENS REPLAT B

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)  
LOT 1B, BLOCK 2, LINDA VISTA GARDENS
2. Property Land Uses:
 

	ACRES	SITES		ACRES	SITES
Single-family			Office		
Duplex	<u>0.439</u>	<u>2</u>	Street & Alley		
Apartment			Ponding & Drainage		
Mobile Home			Institutional		
P.U.D.			Other (specify below)		
Park					
School					
Commercial			Total No. Sites		<u>2</u>
Industrial			Total (Gross) Acreage	<u>0.439</u>	
3. What is existing zoning of the above described property? R4-SC Proposed zoning? R4-SC
4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes X No
5. What type of utility easements are proposed: Underground      Overhead      Combination of Both X
6. What type of drainage is proposed? (If applicable, list more than one)  
SURFACE FLOW TO FRONT STREET
7. Are special public improvements proposed in connection with development? Yes      No X
8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes      No X  
If answer is "Yes", please explain the nature of the modification or exception
9. Remarks and/or explanation of special circumstances:
10. Improvement Plans submitted? Yes      No X
11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes      No X

If yes, please submit a vested rights petition in accordance with Title 1 (General Provisions) Chapter 1.04 - Vested Rights

City Development Department  
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

12. Owner of record JULIO REYES & ROSA G. REYES 915.549.2307  
(Name & Address) (Zip) (Phone)

13. Developer \_\_\_\_\_  
(Name & Address) (Zip) (Phone)

14. Engineer SITWORK ENGINEERING  
999 EXECUTIVE CENTER STE 134, ELP TX 79902 915.351.8033  
(Name & Address) (Zip) (Phone)

jgarcia@siteworkengineering.com

\*Effective September 1, 2014, a 3% technology fee has been added to all Planning application fees.

OWNER SIGNATURE Julio Reyes Rosa Reyes

REPRESENTATIVE [Signature]

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.



# **ATTACHMENT 8**

## **PLANNING AND INSPECTION DEPARTMENT – PLANNING:**

Developer / Engineer shall address the following comments:

1: Submit to the Planning & Inspections Department – Planning Division the following prior to recording of the subdivision:

- a: Current certificate tax certificate(s)
- b: Current proof of ownership.
- c: Release of access document, if applicable.
- d: Set of restrictive covenants, if applicable.

2: Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

3. State reason for the replat.

4. Revise approval statement to CPC approval statement.

5. Revise Subdivision Coordinator to Chairperson.

6. Dedicate a 20' access easement.

7. Add note as to who will provide water & sewage.

## **PLANNING AND INSPECTION DEPARTMENT – LAND DEVELOPMENT:**

We have reviewed subject plats and recommend Approval.

The Developer/Engineer shall address the following comments.

- 1. At the improvement plan stage, provide protection to the subdivision from all offsite stormwater runoff that may have an adverse impact on any improvements.
- 2. To mitigate adverse downstream drainage conditions, the developer may be required to retain a portion of the developed run-off.
- 3. EPW - Stormwater Engineering recommends using principles of low impact & green infrastructure development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff.
- 4. There are some issues with the Mesa Drain; which shall be addressed by others.
- 5. Show storm sewer pipe running under Chula Vista Dr.

## **CAPITAL IMPROVEMENTS DEPARTMENT – PARKS:**

We have reviewed **Linda Vista Gardens Replat "B"**, a resubdivision combination plat map and on behalf of CID Parks Planning Division we offer Developer / Engineer the following comments:

Please note that this subdivision is composed of two **(2) lots** zoned "R-4/sc" meeting the requirements for Single-family & Two-family dwelling use and is required to comply with the parkland dedication ordinance Title 19 – Subdivision & Development Plats, **Chapter 19.20 - Parks & Open Space** in the form of "Park fees" based on requirements for residential subdivisions.

Applicant shall be required to pay "Park fees" in the amount of **\$5,480.00** calculated as follows:

$$2 \text{ (R-4/sc) Two-family dwelling use} = 4 \text{ dwellings @ } \$1,370.00 / \text{dwelling} = \mathbf{\$5,480.00}$$

Please allocate generated funds under Park Zone: **MV-1**

Nearest Park: **Green Lilac Park**

If density/acreage is increased /decreased or the property zoning /use changes, then "Park fees" will be re-assessed based on applicable conditions.

**EL PASO WATER:**

EPWater does not object to this subdivision.

**EPWater-PSB Comments**

Water:

Along Chula Vista Drive between Lirio Street and Heid Street there is an existing six (6) inch diameter water main; this main is available for service.

Previous water pressure readings conducted on fire hydrant number 525 located along Chula Vista Drive approximately 120 feet north of Lirio Street have yielded a static pressure of 98 pounds per square inch (psi), residual pressure of 88 psi, discharge of 1,300 gallons per minute (gpm). The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:

Along Chula Vista Drive between Lirio Street and Heid Street there is an existing eight (8) inch diameter water main; this main is available for service.

General:

As per EPWater records, Lot 18, Block 2, Linda Vista Gardens has two ( 2 ) water services, three-quarter ( 3/4 ) inch diameter each under addresses 504 Chula Vista Drive and 508 Chula Vista Drive.

Application for additional water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3<sup>rd</sup> Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

**CENTRAL APPRAISAL DISTRICT:**

CAD requests that the lot numbers be changed as follows:

Lot 1 changed to 18A

Lot 2 changed to 18B.

**El Paso County 911 District**

No comments received.